

MINUTES OF THE TOWN BOARD MEETING OF MAY 8, 2013

PRESENT:	Supervisor	Teresa Dean
	Council	Edward Fairbrother
		Andy Gillette
		Mike Saglibene
		Mike Smith
	Attorney	Fredrick Ahrens
	Town Clerk	Linda Cross

Supervisor Dean called the Water Board meeting to order at 4:30 p.m. and requested those present to participate in the Pledge of Allegiance.

WATER BOARD

NEW BUSINESS

RESOLUTION NO.107-13
DEDICATION OF THE WATER DISTRIBUTION SYSTEM APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS Barrington Associates has offered to dedicate to the Town the water distribution system, related facilities located within Soaring Ridge Subdivision as set forth on a map provided by Fagan Engineers entitled "Soaring Ridge Way, Watermain Dedication Section 2" dated July 10, 2011, and

WHEREAS Barrington Associates offers to dedicate to the Town the easements associated with the water distribution system dedication, located within Soaring Ridge Subdivision as set forth on a Weiler Associates map entitled "Soaring Ridge Estates, Existing Watermain Dedication 20 Foot Easement" dated September 25, 2012, Job No. 13346.21, and

WHEREAS the Commissioner of Public Works has reviewed the proposed offer of dedication and approved the same, and

WHEREAS, this is an administrative Type 2 action under SEQRA 6NYCRR Part 617.5 (C) (20) and thus no environmental review action is required herein, now

BE IT THEREFORE RESOLVED the Town Board, as recommended by the Commissioner of Public Works, hereby accepts the offer of dedication of said water distribution system, related facilities and easements for the Soaring Ridge Subdivision Phase II as described above, contingent upon the necessary documentation being approved by the Attorney for the Town, and

BE IT FURTHER RESOLVED the Town Supervisor is hereby authorized to execute and file any and all documents to effectuate the acceptance of said water distribution system as well as the indemnification agreement from Barrington Associates, subject to the review and approval of the Attorney for the Town.

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RESOLUTION NO.107-13, DEDICATION OF THE WATER DISTRIBUTION SYSTEM APPROVED continued

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

Supervisor Dean closed the Water Board Meeting at 4:31 p.m.

TOWN BOARD

Supervisor Dean opened the Town Board meeting at 4:32 p.m.

CONCERNS OF THE PEOPLE – Jane King, 15 Kelly Drive, stated her concern's with the streams around the town, and feels they are in bad shape.

Margie Flynn - 106 Hillview Drive requested a list of the work schedules of days and times for the staff at the Community Center. Supervisor Dean replied, the office at the Community Center is open Monday – Friday 8:00 am – 4:00 pm. She stated people are asking her what the schedule is. Supervisor Dean stated if anyone has any questions please feel free to call her or stop by the Town Hall to see her.

REPORTS

Supervisor Dean stated the following reports for April 2013 have been received and are on file in the office of the Town Clerk:

Town Clerk's Monthly Report, Supervisor's Fund Balance Report, Annual Block Grant Fund Report, Youth Department Monthly Report, Department of Public Works Monthly Report, Assessor's Monthly Report, Justice Court Monthly Report, Code and Planning Department Monthly Report, Community Center Monthly Report, Tax Collector's Yearly Report.

NEW BUSINESS

RESOLUTION NO. 108-13 ROAD SALT PURCHASE FOR 2013 - 2014 THROUGH STATE BID APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Town will need to purchase salt for winter road maintenance for 2013 - 2014, and

WHEREAS the State bid for road salt is listed under Group No. 01800, and

WHEREAS the contract period for road salt is September 1, 2013 through August 31, 2014 and

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RESOLUTION NO. 108-13, ROAD SALT PURCHASE FOR 2013 - 2014 THROUGH STATE BID APPROVED continued

WHEREAS the state mandated that a Requirement Letter be filed with OGS prior to May 30, 2013 to participate in purchasing under State Bid, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to purchase road salt, not to exceed one thousand six hundred eighty (1,680) tons, utilizing state bid contract for the duration of said contract period.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO. 109-13
SOARING RIDGE DEVELOPMENT ROAD DEDICATION APPROVED

Resolution by: Gillette
Seconded by: Saglibene

WHEREAS Barrington Associates has received permission to develop certain Chemung County property, located in the Soaring Ridge Subdivision, into a roadway to service such subdivision, and

WHEREAS Barrington Associates constructed said roadway to Town specifications as detailed on a map entitled "Road Dedication Soaring Ridge Estates (Soaring Ridge Way Extension)" dated 9/25/12, Job No. 13346.21 as prepared by Weiler Associates, and

WHEREAS Chemung County authorized the transfer of ownership of such property per Chemung County Resolution No. 04-449, and

WHEREAS Barrington Associates has provided the Town with a letter of credit #LC081BA from Elmira Savings Bank to cover any failed construction of highway and utilities systems per association with this dedication, and

WHEREAS both Barrington Associates and the County of Chemung have offered to dedicate to the Town, by deed, the roads located within said Soaring Ridge Subdivision, and

WHEREAS the Commissioner of Public Works has inspected said road and found it is suitable for dedication, and

WHEREAS the acceptance of these road is an administrative Type 2 action under SEQRA 6NYCRR 617.5 (c)(20) and thus no environmental review action is required, now

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RESOLUTION NO. 109-13, SOARING RIDGE DEVELOPMENT ROAD DEDICATION
APPROVED continued

BE IT THEREFORE RESOLVED the Town Board, as recommended by the Commissioner of Public Works hereby accepts the offer of dedication of said road as described above for all relevant purposes, contingent upon the necessary documentation being approved by the Attorney for the Town, and

BE IT FURTHER RESOLVED the Town Supervisor is hereby authorized to execute and file any and all documents to effectuate the acceptance of said roads, subject to the review and approval of the Attorney for the Town.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO. 110-13
CASE 590 SUPER N BACKHOE AND APPROPRIATE EQUIPMENT APPROVED

Resolution by: Saglibene
Seconded by: Fairbrother

WHEREAS the Commissioner of Public Works in concurrence with the Highway Department Supervisor recognizes the need to purchase a new backhoe, and

WHEREAS the purchase of the new backhoe was planned and budgeted by the Town Board for the year 2013, and

WHEREAS the Town of Chenango bid and awarded to Monroe Tractor the purchase of a Case 590 Super N for the amount of \$87,932.00, and

WHEREAS the State recognizes piggy backing on municipality bidding, and

WHEREAS the Town wishes to add the option of auxiliary hydraulics on the boom for a sum of \$2728.50, and

WHEREAS for environmental review purposes, the purchasing of equipment is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (4) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to purchase a Case 590 Super N Backhoe from Monroe Tractor for a total price of \$90,660.50, and

BE IT FURTHER RESOLVED that the 1988 John Deere Model 510C Backhoe be authorized to be sold as surplus.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

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RESOLUTION NO. 111-13
USE OF FACILITIES DURING PUBLIC HEALTH EMERGENCIES APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS during a pandemic event or other public health emergency, Chemung County Health Department is required to set up mass clinics (point of dispensing sites) to serve the community, and

WHEREAS the Emergency Preparedness Coordinator for Chemung County Health Department had completed a site visit of the Community Center and determined the facility to meet the necessary requirements for the point of dispensing site, and

WHEREAS the Town of Big Flats has been asked to enter into a Memorandum of Understanding for the use of the Community Center being used during a public health emergency, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board hereby authorizes the Town Supervisor to execute a Memorandum of Understanding for the Use of Facilities during a Public Health Emergency.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO. 112-13
ABOLISHING THE ELECTED POSITION OF TAX COLLECTOR APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Town of Big Flats has the position of elected Town Clerk and elected Tax Collector, and

WHEREAS Town Law Section 36 allows municipalities of the second class to by resolution duly adopted at least one hundred fifty days (150) prior to any biennial town election, determine that the elected Tax Collector position be abolished, and

WHEREAS the Town Board has determined that the elected position of Tax Collector for the Town of Big Flats be abolished, now

MINUTES OF THE TOWN BOARD MEETING OF MAY 8, 2013

RESOLUTION NO. 112-13, ABOLISHING THE ELECTED POSITION OF TAX COLLECTOR APPROVED continued

BE IT THEREFORE RESOLVED the Town Board hereby, in accordance with Town Law Section 36 (1) abolish the position of elected Tax Collector, and

FURTHER RESOLVED said position shall be abolished effective at the expiration of the term of office to which the incumbent was elected or appointed; therefore effective January 1, 2014, and

FURTHER RESOLVED said duties and responsibilities are hereby assigned to the Town Clerk.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO. 113-13
DRAINAGE EQUIPMENT OPERATOR SALARY APPROVED

Resolution by: Gillette
Seconded by: Saglibene

WHEREAS the Drainage Equipment Operator will be returning to work, and

WHEREAS the Drainage Equipment Operator rate of pay was not established for 2013, and

WHEREAS for environmental purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board sets the salary for the Drainage Equipment Operator at the rate of \$23.61 per hour.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO. 114-13
BACKYARD BROADCASTING FIREWORKS DISPLAY APPROVED

Resolution by: Saglibene
Seconded by: Fairbrother

WHEREAS Backyard Broadcasting has contracted with Young Explosives to conduct a fireworks display at the Elmira Corning Regional Airport on June 22, 2013 with no rain date, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

MINUTES OF THE TOWN BOARD MEETING OF MAY 8, 2013

RESOLUTION NO. 114-13, BACKYARD BROADCASTING FIREWORKS DISPLAY
APPROVED continued

BE IT THEREFORE RESOLVED the Town Board authorizes the Fireworks Commissioner to sign the Fireworks Permit, contingent upon the review and approval by the Attorney for the Town, permitting the fireworks display sponsored by Backyard Broadcasting at the Elmira Corning Regional Airport to be held on June 22, 2013 with no rain date.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO.115-13
SUMMER T.A.F.F.Y. EMPLOYEES FOR 2013 APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Big Flats Youth Services Department will be hosting the Summer TAFFY Program, and

WHEREAS the Program Coordinator conducted interviews and necessary background checks and recommends the Town Board appoint the employees listed below, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board appoints the following Summer TAFFY employees at the following hourly rate effective May 20, 2013 – August 2, 2013:

Allen, Meghan	\$7.35
Audinwood, Sarah	\$7.30
Beeman, Robert	\$7.35
Blaney, Claire	\$7.35
Buffington, Kayleigh	\$7.35
Burlew, Jenna	\$7.25 (Intern)
Caruso, Julie	\$7.45
Crimmins, Brian	\$7.35
Curtis, Wynn	\$7.35
Davis, Victoria	\$7.35
Dunbar, Zachary	\$7.35
Duroe, Kiersten	\$7.35
Frisbie, Cameron	\$7.35
Huten, Patrick	\$7.35
LaLomia, Felicia	\$7.25 (Intern)
Lee, Amanda	\$7.35
Marks, Meghan	\$8.25 (Park Leader)
McCann, Corey	\$8.00 (Park Leader)
McCawley, Sara	\$7.25 (Intern)

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RESOLUTION NO.115-13, SUMMER T.A.F.F.Y. EMPLOYEES FOR 2013 APPROVED continued

Nalbach, Nicholas	\$7.35
Pautz, Emily	\$8.25 (Park Leader)
Rathbun, Kelly	\$8.25 (Park Leader)
Seymour, Melissa	\$7.25 (Intern)
Stein, Derek	\$7.25 (Intern)
Szewczyk, Jonathan	\$7.35
Wagner, Larie	\$7.35
Wagner, Larissa	\$8.00 (Park Leader)
Walker, Megan	\$7.35
Walker, Sarah	\$8.00 (Park Leader), and

FUTHERRESOLVED the Town Board appoints Eric Garrison as Rover/Park Leader at the rate of \$8.75 per hour effective May 20, 2013 through August 9, 2013.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO. 116-13 REPORTING STANDARD WORK DAY / EMPLOYEE'S RETIREMENT SYSTEM APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS in accordance with Regulation 315.4, New York State Comptroller requires a standard work day for elected or appointed officials be established for the purpose of reporting work days to the New York State and Local Employees' Retirement System, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town of Big Flats Town Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins / Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials							
Supervisor	Teresa M. Dean	xxxx	xxxxxxx	6.0	01/01/2010-12/31/2013	N	20
Town Clerk	Linda J. Cross	xxxx	xxxxxxx	7.5	01/01/2010-12/31/2013	N	20

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Board Member	Edward Fairbrother	xxxx	xxxxxxx	6.0	01/01/2012-12/31/2015	N	5.78
Board Member	Michael Smith	xxxx	xxxxxxx	6.0	01/01/2010-12/31/2013	N	1.46
Board Member	Michael Saglibene	xxxx	xxxxxxx	6.0	01/01/2012-12/31/2015	N	2.97
Board Member	Andrew Gillette	xxxx	xxxxxxx	6.0	01/01/2012-12/31/2013	N	0.54
Appointed Officials							
Assessor	William Torp	xxxx	xxxxxxx	6.0	01/01/2008-09/30/2013	Y	N/A
Commissioner of Public Works	Larry Wagner	xxxx	xxxxxxx	7.5	01/01/2013-12/31/2013	Y	N/A

FURTHER RESOLVED the Town Board authorizes the Town Clerk to certify the original resolution passed by the Town Board and file the necessary documentation.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

RESOLUTION NO. 117-13

THE OUT-OF-DISTRICT SEWER USER AGREEMENT WITH CORNING HOSPITAL CONTINGENT TO SUBSEQUENT APPROVAL BY THE COUNTY OF CHEMUNG APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS by resolution dated April 24, 2013, the Town Board proposed hospital sewer line from Corning Guthrie Hospital to the Town of Big Flats was determined to be in the best interest of the Town, and

WHEREAS it is necessary and desirable to enter into an out-of-district sewer use agreement between Corning Hospital and the Town of Big Flats said agreement on file with the Town Clerk, dated April 29, 2013, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to execute the Out-of-District Sewer User Agreement subject to subsequent approval by the County of Chemung.

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF MAY 8, 2013

RESOLUTION NO. 118-13
RECEIVING AND ACCEPTING THE MAY 8, 2013 COMMUNICATIONS LOG
APPROVED

Resolution by: Sagliene
Seconded by: Fairbrother

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

April 24, 2013

Southern Tier Economic Growth – RE: 2013 Contract. *Referred to: Town Board and filed with Town Clerk.*

State of New York Department of Transportation – RE: CHIPS Capital reimbursement.
Referred to: Town Board and filed with Town Clerk.

April 25, 2013

Chemung County Planning Department – RE: Lackawanna Rail Trail Brochure/Map. *Referred to: filed with Town Clerk.*

April 26, 2013

Association of State Floodplain Mangers, Inc. (ASFPM) – RE: ASFPM Certified Floodplain Manager approval for Timothy Gilbert. *Referred to: filed with Town Clerk.*

May 1, 2013

Big Flats Business Association– RE: May 1, 2013 Meeting Minutes. *Referred to: filed with Town Clerk*

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean
NAYS: None

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to adjourn the Town Board meeting at 4:47 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk